

Practitioner's Docket No. ST8622US

CC/IFW\$

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Randal W. Eveland et al.

Confirmation No.: 1249

Application No.: 10/620,824

Group No.: Not yet known

Filed: July 16, 2003

Examiner: Not yet known

For: SELF-CONTAINED BIOLOGICAL INDICATOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT, REQUEST AND FEE TO DELETE AND/OR
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION
(37 C.F.R. § 1.48(a))

1. This amendment and request is to correct the incorrect original naming of inventors in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on June 15, 2004.
2. Addition of Inventor

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

XX deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

XX with sufficient postage as first class mail.

37 C.F.R. § 1.10*

___ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

___ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____


Signature

Date: July 1, 2004

Crystal Belknap

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Add the following previously unnamed person as inventor of this application:

Jeffrey R. Horacek
8160 Dalton Court
Mentor, Ohio 44060
U.S. Citizen

3. Attachments

Attached is:

- (a) A statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
- (b) A declaration by each of the actual inventors as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43 OR 1.47). 37 C.F.R. § 1.48(a)(2).
- (c) Written consent of the assignee, 37 C.F.R. § 1.48(a)(4).

4. Fee Payment (37 C.F.R. § 1.17(i))

The fee required by 37 C.F.R. § 1.17(i) is paid as follows:

Authorization is hereby made to charge the amount of \$130.00 to Credit card as shown on the attached credit card information authorization form PTO-2038.

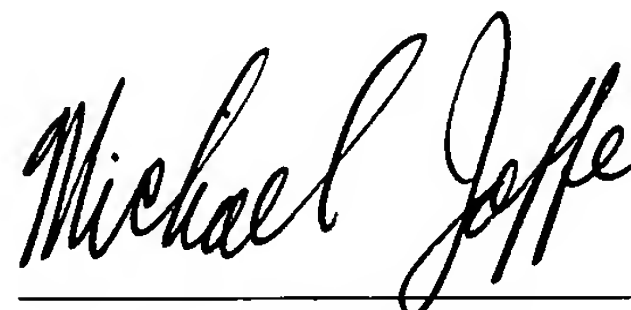
Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-0537.

A duplicate of this paper is attached.

Date: July 1, 2004

Reg. No.: 36,326
Tel. No.: 440-684-1090

Customer No.: 22203



Signature of Practitioner

Michael A. Jaffe

Kusner & Jaffe
Highland Place - Suite 310
6151 Wilson Mills Road
Highland Heights, OH 44143

**STATEMENT OF ERROR WITHOUT DECEPTIVE INTENT
ON THE PART OF THE OMITTED INVENTOR
IN NONPROVISIONAL APPLICATION
(37 C.F.R. § 1.48(a)(1))**

1. Identification of omitted inventor to which this statement is being made:

Jeffrey R. Horacek
8160 Dalton Court
Mentor, Ohio 44060

2. I, a person signing below, hereby state that the error in omitting the name of the inventor, as set forth in the foregoing petition under 37 C.F.R. § 1.48(a), occurred by error, without deceptive intent:

Date: 24 JUNE 2004


Signature: Jeffrey R. Horacek



Practitioner's Docket No. ST8622US

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is for an original application.

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

SELF-CONTAINED BIOLOGICAL INDICATOR

SPECIFICATION IDENTIFICATION

The specification was filed on July 16, 2003, as Serial No. 10/620,824.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

POWER OF ATTORNEY

I hereby appoint the following practitioners to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONERS

Mark Kusner
Michael A. Jaffe
Thomas D. McClure, Jr.
Michael A. Centanni

REGISTRATION NUMBERS

31,115
36,326
54,302
34,796

I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO

Mark Kusner
Kusner & Jaffe
Highland Place - Suite 310
6151 Wilson Mills Road
Highland Heights, OH 44143

DIRECT TELEPHONE CALLS TO:

Mark Kusner
440-684-1090

Customer No.: 22203

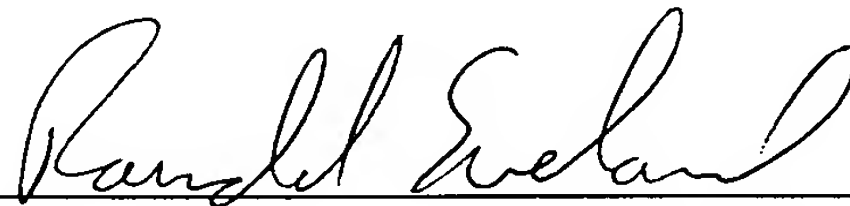
DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES

Randal W. Eveland

Inventor's signature:



Date: 6-24-04

Country of Citizenship: U.S.

Residence: Concord, Ohio

Post Office Address: 7185 Summerhill Drive, Concord, Ohio 44077

Tricia A. Cregger

Inventor's signature: Tricia A. Cregger

Date: 6/25/04

Country of Citizenship: U.S.

Residence: Fairlawn, Ohio

Post Office Address: 2868 Bancroft Road, Fairlawn, Ohio 44333

Jeffrey R. Horacek

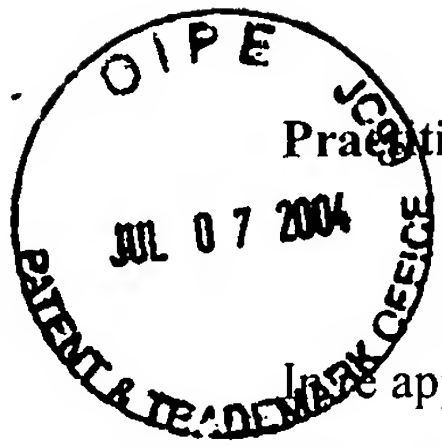
Inventor's signature: Jeffrey R Horacek

Date 24 JUNE 2004

Country of Citizenship: U.S.

Residence: Mentor, Ohio

Post Office Address: 8160 Dalton Court, Mentor, Ohio 44060



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**ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR**

Name of Assignee:

STERIS Inc.

Address of Assignee:

43425 Business Park Drive
Temecula, California 92590

Assignment is recorded herewith.

FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed herewith.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

X deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office, (703) _____ - _____

Signature

Date:

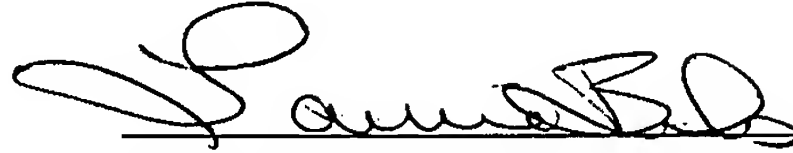
7/1/2004

Crystal Belknap

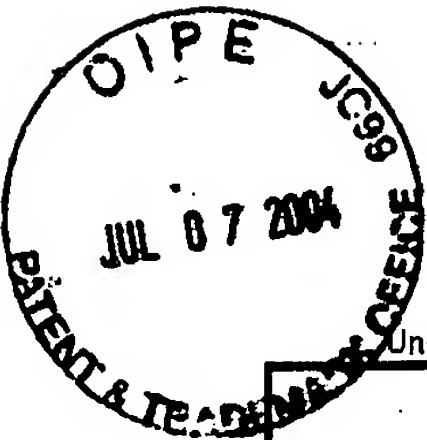
(type or print name of person certifying)

RIGHT OF ASSIGNEE TO TAKE ACTION

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

A handwritten signature in black ink, appearing to read "Laurie Brlas", is written over a horizontal line.

Signature: Laurie Brlas
President, STERIS Inc.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Randal W. Eveland, et al.Application No./Patent No.: 10/620,824 Filed/Issue Date: July 16, 2003Entitled: SELF-CONTAINED BIOLOGICAL INDICATORSTERIS Inc.

(Name of Assignee)

a

Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

June 29, 2004

Date

(440) 354-2600

Telephone number

Laurie Brlas

Typed or printed name

Signature

President

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.